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UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

September 13, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Letter on Revision of the Commission's Rules to Ensure Compatability
with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102/RM-
8143

Dear Ms. Salas:

Pursuant to Section 1.203(a)(4) of the Commission's Rules, enclosed please four copies of the Letter from Larry Irving, Assistant Secretary for Communications and Information, Department of Commerce, to Chairman William E. Kennard in the above-referenced proceeding. The original was hand-delivered to Chairman Kennard and copies were also hand-delivered to the Commissioners and Mr. Thomas J. Sugrue, Chief of the Wireless Telecommunications Bureau.

Please direct any questions you may have regarding this filing to the undersigned. Thank you for your cooperation.

Respectfully submitted,

Kathy D. Smith
Acting Chief Counsel

Enclosures

cc: The Honorable William E. Kennard
The Honorable Susan Ness
The Honorable Harold Furchtgott-Roth
The Honorable Michael Powell
The Honorable Gloria Tristani
Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau

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UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Communications
and Information
Washington, D.C. 20230

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911
Emergency Calling Systems, CC Docket No. 94-102, RM-8143

Dear Chairman Kennard:

On behalf of the Administration, I am writing to commend the Commission for its efforts with regard to implementation of Enhanced 911 (E911) calling for commercial mobile wireless devices. At stake is the ability to improve the safety of millions of Americans, potentially saving thousands of lives. There were over 35 million wireless 911 and distress calls from mobile phones last year, almost 100,000 calls each day.¹ Americans who use their wireless phones to place a 911 call should have the benefits of E911 emergency calling in much the same way as people do when they use their wireline phone, through automatic location identification to public safety answer points. The Administration believes that the Commission will best enable us to meet our public safety goals by establishing rules that allow those directly responsible for carrying emergency information, public safety agencies and carriers, to choose the appropriate method of bringing E911 to the public.

I write specifically to address the Commission's pending decision whether to revise the "Phase II" standards for identifying the location of a caller within a cell, in light of recent technological development of handset-based technology.² The standards, as previously adopted by the Commission, are scheduled to become effective on October 1, 2001.³

¹ According to the Cellular Telecommunications Industry Association (CTIA), in 1998 there were 35,805,405 wireless 911 and distress calls, or 98,097 per day, with data from government organizations and cellular telephone entities. See CTIA, Statistics and Surveys, <<http://www.wow-com.com/statsurv/e911/>>

² Wireless Telecommunications Bureau Requests Targeted Comment on Wireless E911 Phase II Automatic Location Identification Requirements, *Public Notice*, CC Dkt No. 94-102 (rel. June 1, 1999). Section 20.18(e) of Commission's rules requires commercial mobile radio service licensees to provide "to the designated Public Safety Answering Point the location of all 911 calls by longitude and latitude such that the accuracy for all calls is 125 meters or less using a Root Mean Square . . . methodology." 47 C.F.R. § 20.18(e).

³ 47 C.F.R. § 20.18, *supra*, note 2.

The National Telecommunications and Information Administration (NTIA) strongly urges the Commission hold to a strict timetable for implementation of automatic location technology capability so that consumers receive the benefits without delay. The Administration is concerned that a delay in the development and availability of location technology would mean the loss of many lives needlessly. Too many lives have already been lost because rescuers could not pinpoint the location of a wireless 911 call.

The need to move forward without delay, however, should not be equated with limiting the technologies and approaches that could possibly bring this technology to consumers. NTIA agrees with the Commission and many commenters that the Commission's rules should not discourage innovation in location technology.⁴ NTIA believes that creating more options for carriers to meet the Commission's rules for implementation of E911 will engender competition among the various options and that this competitive environment will help to jump start and then accelerate the implementation process.

Currently, no single technology appears to be optimal for all situations. The existing rule is directed at achieving a certain penetration rate in a relatively short period of time. The network solution has the advantage of reaching most subscribers immediately once the technology is in a given network; there is no need for subscribers to acquire new phones. However, in some areas served or proposed to be served by only one cell, such as some rural areas, technology built into new handsets may reach consumers sooner than network location technology that depends on a coverage by at least two cells. In addition, handset technology may provide a greater degree of accuracy in locating callers.

In order to prevent delay in the implementation of this critical capability, NTIA believes that the Commission should revise its requirements on service providers to allow for implementation of E911 via network, handset, or some combination of the two solutions. The Commission should, however, work within its original implementation timetable for when consumers will have the benefit of this capability.

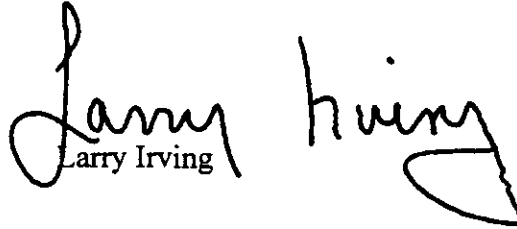
NTIA also hopes that timely resolution of several other important issues, in particular cost recovery, that are proving to be obstacles to both Phase I and Phase II, can speed implementation of E911.

⁴ See Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Memorandum Opinion and Order*, CC Dkt No. 94-102, RM-8143, 12 F.C.C. Rcd. 22665, 22725 (1997); Comments of Personal Communications Industry Association, CC Dkt 94-102 (filed June 17, 1999) at 3; Reply Comments of Association of Public-Safety Communications Officials-International, Inc. CC Dkt 94-102, (filed July 2, 1999), at 2.

Chairman William E. Kennard
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Thank you for your consideration of these views.

Sincerely,


Larry Irving

cc: Commissioner Susan Ness
Commissioner Harold Furchtgott-Roth
Commissioner Michael Powell
Commissioner Gloria Tristani
Thomas J. Sugrue, Bureau Chief, Wireless Telecommunications Bureau